

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

# **MEDIATION REPORT**

**July 1, 2012 – June 30, 2013**

**ALTERNATIVE DISPUTE RESOLUTION**

**Gerald P. Lepp**  
**Alternative Dispute Resolution**  
*Administrator*

**Ka Hye Chin**  
**Daniella Duxbury**  
*ADR Student Interns*

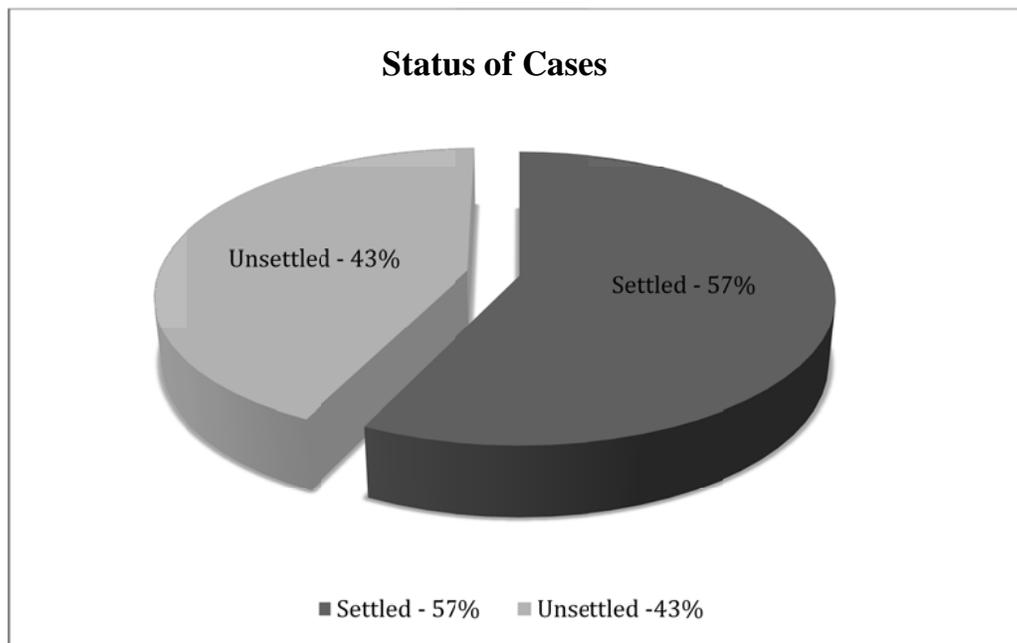
*Draft date: August 13, 2013*

## 1. The Number of Active Cases

Between July 1, 2012 and June 30, 2013, 166 cases were referred to mediation.

## 2. Status of Cases

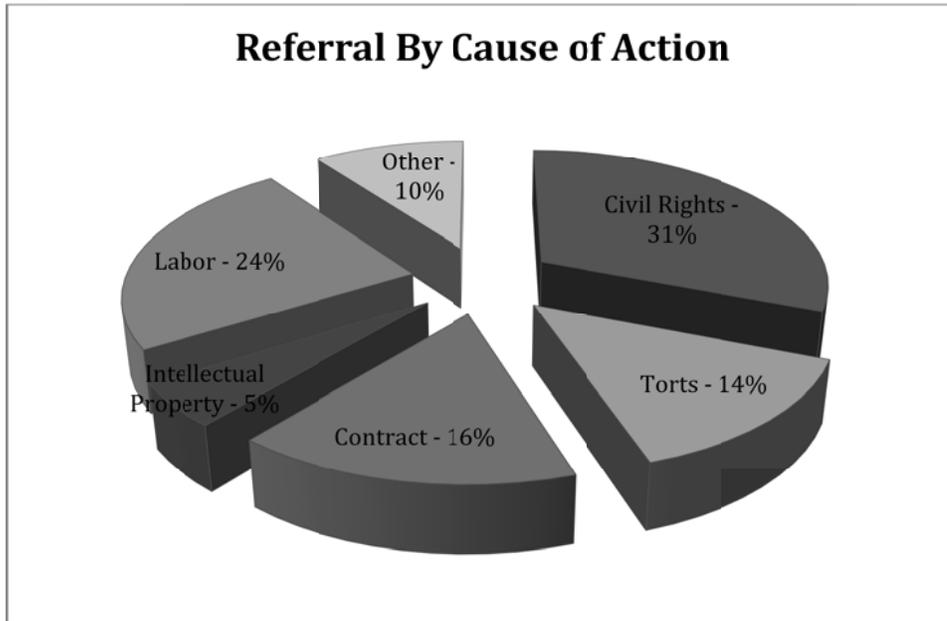
During the period, July 1, 2012 to June 30, 2013, mediation was completed in 117 cases. Of these cases 67 (57%) were settled as a result of mediation. This number does not reflect cases that settled after they returned to the court. A total of 49 cases are now pending.



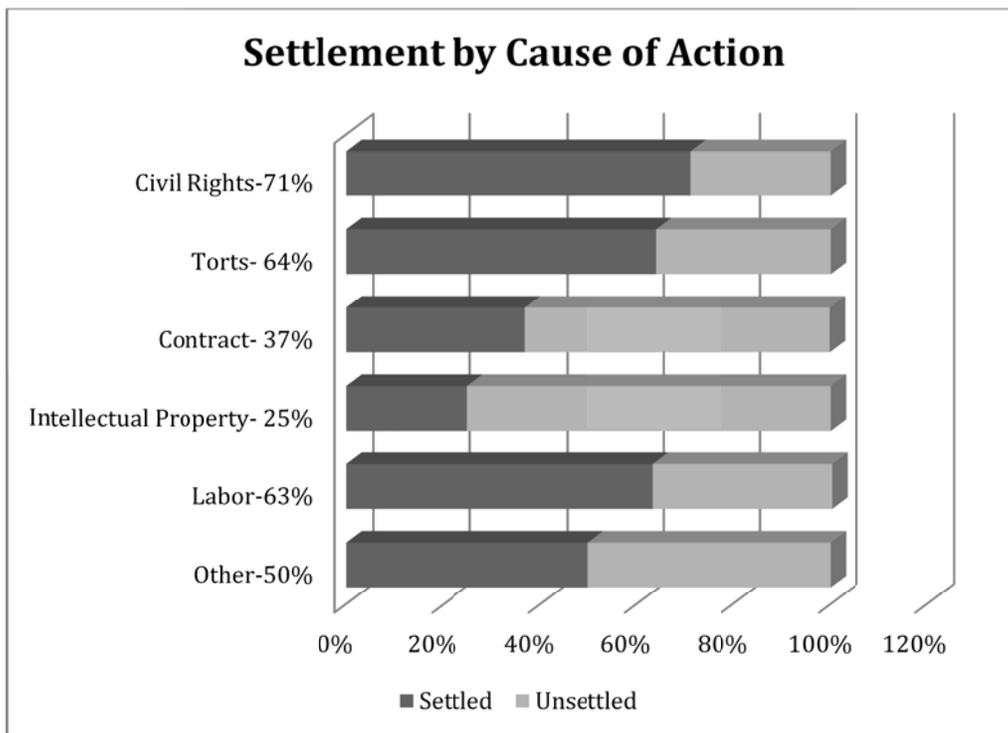
### 3. The Percentage of Settlement by Cause of Action at Mediation

Cause of Action	Sub-Category	Percent		Number			Total
		Settled	Unsettled	Settled	Unsettled	Pending	
Civil Rights	Accommodations	100%	0%	2	0	1	3
	Americans with Disabilities: Employment	50%	50%	3	3	3	9
	Jobs	71%	29%	15	6	13	34
	Others	100%	0%	2	0	4	6
Torts	Personal Injury	100%	0%	5	0	3	8
	Product Liability	0%	0%	0	0	1	1
	Motor Vehicles	44%	56%	4	5	5	14
Contract	Insurance	75%	25%	3	1	2	6
	Marine	0%	100%	0	2	0	2
	Real Property: Foreclosure	100%	0%	1	0	0	1
	Others	25%	75%	3	9	6	18
Intellectual Property	Trademark	25%	75%	1	3	0	4
	Copyrights	50%	50%	1	1	0	2
	Patent	0%	100%	0	2	0	2
Labor	E.R.I.S.A.	100%	0%	1	0	0	1
	Fair Standards	58%	42%	15	11	6	32
	Family and Medical Leave Act	100%	0%	1	0	0	1
	Federal Employer's Liability	100%	0%	1	0	1	2
	Others	100%	0%	1	0	2	3
Other	Agriculture Acts	100%	0%	1	0	0	1
	Anti-Trust	0%	0%	0	0	1	1
	Consumer Credit	100%	0%	2	0	0	2
	Environmental Matter	0%	0%	0	0	1	1
	Racketeer	50%	50%	2	2	0	4
	Real Property	0%	100%	0	2	0	2
	Statutory Question	25%	75%	1	3	1	5
	Stockholder's suit	100%	0%	1	0	0	1
Total				67	50	49	166

#### 4. Mediation Referral by Cause of Action



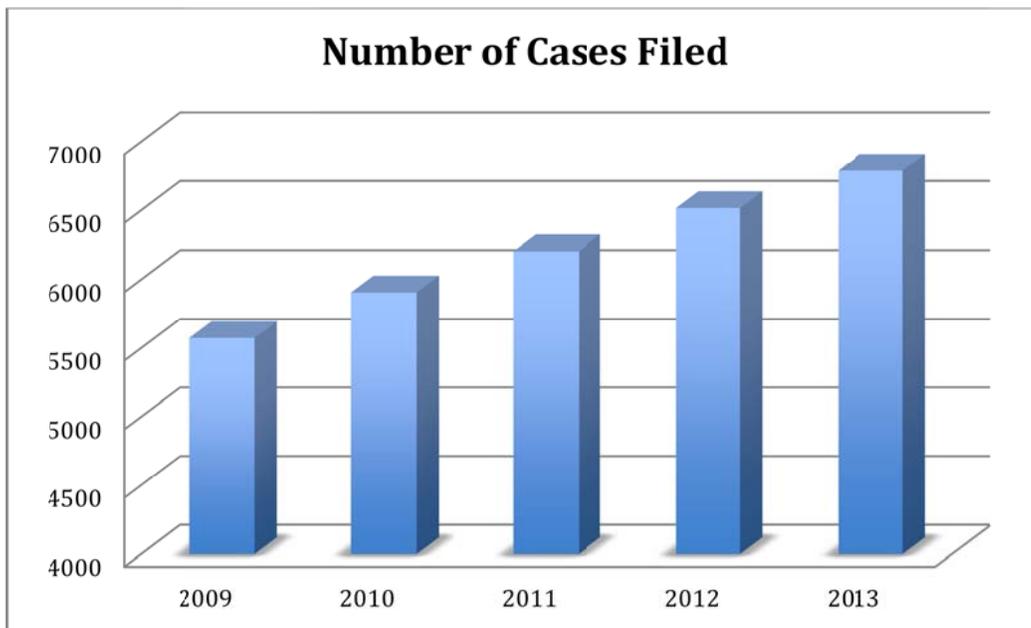
#### 5. The Percentage of Settlement through Mediation by Cause of Action



## 6. Cases

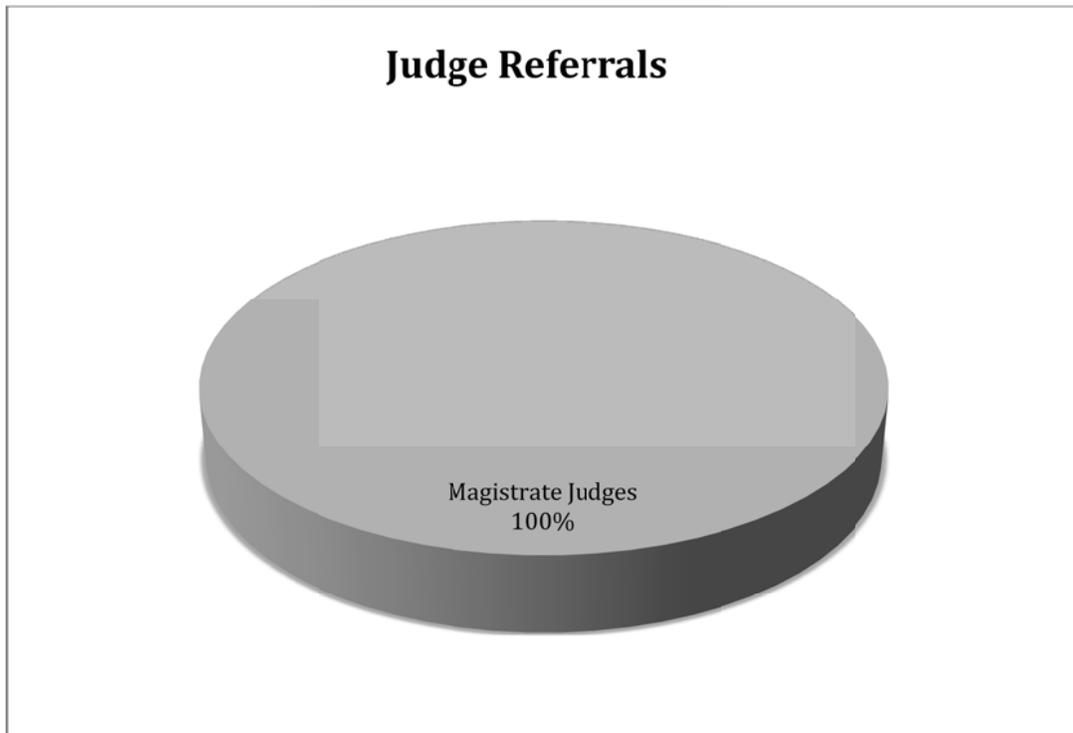
From the prior fiscal year (July 1, 2011 – June 30, 2012), 35 more cases were referred to mediation. At the same time, the number of civil cases filed in the Eastern District of New York was as follows:

Year	Number of Cases Filed
2009	5574
2010	5906
2011	6204
2012	6516
2013	6788

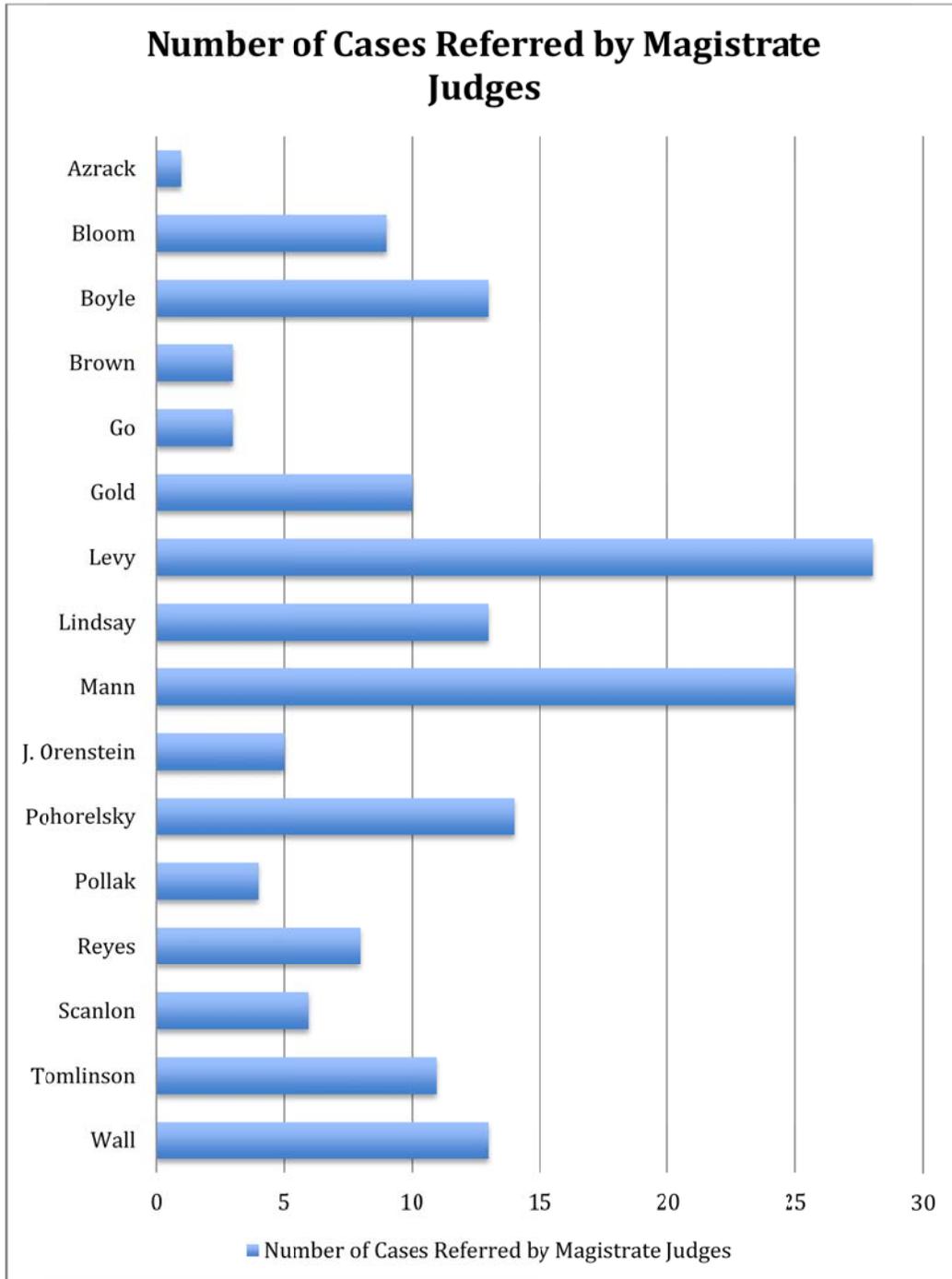


## 7. Judge Referral Statistics

All of the 166 referrals to mediation during this period were made by magistrate judges.



## 8. Frequency of referrals by Magistrate Judge



## **9. Conclusions**

Fifty-seven (57) percent of all cases referred to mediation in the Eastern District of New York during the past year settled. With the steady increase in civil filings over the past five years, court-annexed mediation offers an effective, efficient and inexpensive means of resolving cases.

Respectfully Submitted,

Gerald P. Lepp

Brooklyn, New York  
August 13, 2013